

**IN THE MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE

JEFFREY IRELAND,

Appellant,

v.

DIVISION OF EMPLOYMENT SECURITY,

Respondent.

DOCKET NUMBER WD74814
(Consolidated with WD74815 and WD74816)

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

DATE: January 29, 2013

APPEAL FROM

The Labor and Industrial Relations Commission

JUDGES

Division Two: Mitchell, P.J., and Newton and Hardwick, JJ.

CONCURRING.

ATTORNEYS

Jeffrey M. Ireland
Charlotte, NC

Appellant, *pro se*,

Ninion S. Riley
Jefferson City, MO

Attorney for Respondent.



MISSOURI APPELLATE COURT OPINION SUMMARY MISSOURI COURT OF APPEALS, WESTERN DISTRICT

JEFFREY IRELAND,

Appellant,

v.

**DIVISION OF EMPLOYMENT
SECURITY,**

Respondent.

**OPINION FILED:
January 29, 2013**

**WD74814 Consolidated with
WD74815 and WD74816)**

Labor and Industrial Relations Commission

Before Division Two Judges:

Karen King Mitchell, Presiding Judge, and Thomas H.
Newton and Lisa White Hardwick, Judges

Jeffrey Ireland appeals a decision of the Labor and Industrial Relations Commission, adopting the finding of the Division of Employment Security, that Ireland's petition for reassessment of a penalty imposed upon him for fraudulently obtaining unemployment benefits was untimely. Due to a multitude of briefing errors in violation of Rule 84.04, we dismiss this appeal.

APPEAL DISMISSED.

Division Two holds:

1. The only issue addressed in Ireland's brief is one not decided by the Commission. The Commission's decision was based upon the untimely nature of Ireland's appeals and petition for reassessment. But rather than address the timeliness issues, Ireland argues that he does not owe the penalty. Because the validity of the penalty assessed was not addressed by the Commission, and because we are limited in our review to only those issues decided by the Commission, we cannot review Ireland's claim.
2. Ireland's brief violates Rule 84.04 in significant respects, thus barring our review of his claim on appeal. First, as noted above, he failed to challenge the actual basis for

the Commission's decision below. Second, he failed to include any citations to either the record below or to legal authority, in violation of Rule 84.04(i). Third, Ireland failed to direct us to the applicable standard of review, in violation of Rule 84.04(e). And finally, Ireland failed to include any of the decisions from which he appeals within his appendix, in violation of Rule 84.04(h)(1).

3. Because of Ireland's failures to challenge the actual decision rendered by the Commission and to comply with the provisions of Rule 84.04, we must dismiss this appeal.

Opinion by: Karen King Mitchell, Presiding Judge

January 29, 2013

* * * * *

THIS SUMMARY IS UNOFFICIAL AND SHOULD NOT BE QUOTED OR CITED.